



**COMMONWEALTH of VIRGINIA**  
*Office of the Attorney General*  
*Richmond 23219*

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**MEMORANDUM**

**TO:** Robert B. Stroube, M.D.  
State Health Commissioner

**FROM:** Matthew M. Cobb  
Assistant Attorney General

**DATE:** June 13, 2003

**SUBJECT:** Proposed Revised *Regulations for Disease Reporting and Control*  
12 VAC 5-90-80

I have reviewed the proposed emergency Regulation for Disease Reporting and Control, 12 VAC 5-90-80. The proposed Regulation is constitutional and does not conflict with other federal or state laws or regulations.

The State Board of Health is charged with promulgating a list of diseases to be reported under Va. Code §32.1-35. The Board may promulgate this regulation as an emergency regulation pursuant to Va. Code § 2.2-4011, assuming the situation involves an imminent threat to public health or safety. The Health Commissioner is vested with all the authority of the Board when it is not in session under Va. Code §32.1-20. The regulation shall become effective upon approval by the Governor and filing with the Registrar of Regulations. The regulation is consistent with the Board's mandate to implement the procedures and standards for disease reporting and control, and the Board will not exceed its statutory authority by approving this regulation.

If you have any questions regarding this Regulation, please call me at 786-3890.

cc: Douglas R. Harris,  
Administrative Law and Regulatory Compliance Advisor